



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

BARON LANDINGS COMMERCIAL REVISED MINOR FINAL SITE PLAN

Applicant:	Baron Landings, LLC
Property Owner:	Baron Landings, LLC, Jeremiah Baron
Agent for the Applicant:	Giangrande Engineering and Planning, Leo Giangrande
County Project Coordinator:	Elizabeth (Liz) Nagal, AICP, CNU-A, Development Review Administrator
Growth Management Director:	Paul Schilling
Project Number:	G076-006
Record Number:	DEV2023010003
Report Number:	2024_0524_G076-006_Staff_Report_Final
Application Received:	03/08/2023
Transmitted:	03/09/2023
Date of Report:	04/21/2023
Application Received:	06/15/2023
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Date of Report:	11/27/2023
Application Received:	02/02/2024
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Transmitted:	04/11/2024
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B. Project description and analysis

This is a request by Giangrande Engineering and Planning on behalf of Baron Landings, LLC for approval

of a minor final site plan for three (3) commercial buildings of approximately 16,000 square feet on approximately 4.63-acres of a 20.06-acre site. The site is located at 6801 S Kanner Highway, north of SE Cove Road and south of SE Salerno Road. The subject 4.63-acres was rezoned from PUD to General Commercial (GC) in November 2022. Included is a request for a Certificate of Public Facilities Reservation.

Access to the site is proposed from a shared ingress and egress from SW Kanner Highway, with one additional egress only onto SW Kanner Highway.

The property is located within the primary urban services district and will have access to the full complement of public services.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Liz Nagal	320-3056	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	Comply
G	Development Review	Liz Nagal	320-3056	Non-Comply
H	Urban Design	Liz Nagal	320-3056	Comply
H	Community Redevelopment	Liz Nagal	320-3056	N/A
I	Property Management	Ellen MacArthur	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjolholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Kaitlyn Sullivan	288-5920	Non-Comply
N	Addressing	Emily Kohler	288-5692	Non-Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	Jorge Vazquez	221-1448	Comply
O	Wellfields	Jorge Vazquez	221-1448	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Sally Waite	219-4942	N/A
Q	ADA	Kaitlyn Sullivan	288-5920	Comply
R	Health Department	Nick Clifton	221-4090	N/A
R	School Board	Mark Sechrist	223-1200	N/A
S	County Attorney	Elysse Elder	288-5925	Review Ongoing
T	Adequate Public Facilities	Liz Nagal	320-3056	Pending

D. Review Board action

This application complies with the threshold for processing as a minor development, pursuant to Table 10.2.C.1., Section 10.2.C., LDR, Martin County, Fla. (2023). As such, final action will be taken by the Growth Management Director.

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019), it shall at all times be the applicant’s responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

E. Location and site information

Parcel number(s) and address:	553841000043000302
Existing Zoning:	General Commercial (GC)
Future land use:	Commercial General
Total Site Area:	4.63-Acres

Figure 1
Overall Property Location Map



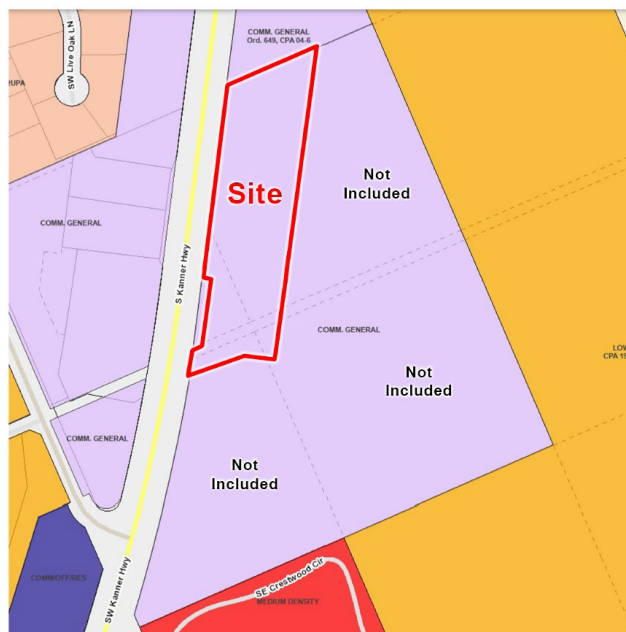
Figure 2
Subject Parcel Location Map



Zoning districts of abutting properties:

- To the north: General Commercial
- To the south: General Commercial
- To the east: General Commercial
- To the west: ROW

Figure 3
Future Land Use Map



Future land use designation of abutting properties:

To the north/south/east: Comm. General

To the west: ROW

F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department

Unresolved Issues:

Item #1:

General Compliance

This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved. MARTIN COUNTY, FLA., CGMP POLICY 4.1A.1. (2019).

G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Unresolved Issues:

Item #1:

General

1. Please provide legal description outside the sketch and legal (will be attached to future development order).

Item #2:

Site Plan Graphics

1. Please add word “Final” to the title bar of the Overall Site Plan and to title bar of sheet SP-3.
2. A parcel label for the multifamily area was not included on the overall site plan (Identified as Tract D on the proposed plat that has been submitted for completeness review).
3. Overall Site Plan: Please remove the text “Under Separate Permit”
4. The resubmitted overall site plan included labels for the individual parcels, please carry over the labels onto SP-2.
5. The overall boundary dimensions were provided however, the dimensions for individual lots were not included.
 - a. With resubmittal, included on sheet SP-1, please also include on SP-2.
6. Sheet SP-3 included with the previous round was not included with this round.
7. Please remove “Max Coverage” data line as building coverage applies to each individual lot. Please remove “Water Retention Tract” and “Access Tract” from lot coverage data.
8. Provide revision dates on new plans.

**Additional Information:
Information #1**

No land clearing is authorized prior to the pre-construction meeting for the project. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for by applicable state agency permits may be granted by the Growth Management Department. MARTIN COUNTY, FLA., LDR SECTION 10.14.C. (2019)

H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department

Commercial Design

Findings of Compliance:

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

Community Redevelopment Area

The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application.

I. Determination of compliance with the property management requirements – Engineering Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

Environmental

Finding of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

An approved amended PAMP will be attached to this development order to preserve and protect two isolated wetlands, associated fifty foot wetland buffers for each wetland, and a restored upland preserve area totaling approximately 3.64 acres along the southwest boundary of the project.

Landscape

Findings of Compliance:

The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations regarding landscaping. The applicant has proposed construction of a commercial shopping center. The applicant has submitted landscape plans that provide 1.28 acres of landscape area which equates to 27.6% of the 201,506 s.f development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Section 4.663.A.3.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential development provide at least one tree per 2,500 sq. ft. of site area; a total of 81 trees for this project. To demonstrate compliance the applicant has proposed the planting of 194 trees.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. Martin County, Fla Section 4.663.B.1.a, (2013). Adjacent land use is residential so a Type 3 non-compatibility buffer is required. This 30 ft buffer is being split between the two projects.

Section 4.666.E.Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. Due to location of these tree within the center of the site, the applicant is only proposing to protect two existing trees. The applicant has submitted Landscape and Construction Plans to provide for tree mitigation by planting #38 additional trees within the proposed landscape areas.

Section 4.663.A.4.b.1, 2, , and 3., Land Development Regulations, Martin County, Fla. (2013) requires one 500 s.f. landscape area with #2 – 3” dbh trees for each 5000 s.f. of interior vehicular use area. This project has 81,483 sq.ft. of paving requiring 49 additional trees. To document compliance the applicant is proposing installation of 72 trees to satisfy Perimeter and Interior vehicular use area requirements.

Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.

The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy and cause the applicant to begin the application process for a change or an amendment to the development order.

K. Determination of compliance with transportation requirements - Engineering Department

Findings of Compliance:

The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by O'Rourke Engineering & Planning, dated May 2023. O'Rourke Engineering & Planning stated that the site's maximum AM peak hour impact was assumed to be

62 directional trips. The report finds that SW Kanner Highway (SR-76) is the recipient of a majority of the generated trips. The project impact is 2.05% of the generalized volume of that roadway. SW Kanner Highway (SR-76) is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2025).

L. Determination of compliance with county surveyor - Engineering Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Department

Unresolved Issues:

1. Submit a preliminary plat for review.
2. The configuration of the individual lots is unclear and insufficient for the review and approval of an eventual plat. Provide bearings and distances along each of the proposed lot lines within the boundary of the Final Site Plan.
3. The preliminary plat must address how parking, access, and stormwater will be shared. It is likely that a common area tract will be required for these elements.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

Addressing

Unresolved Issues:

Please label, on the site plan, the main entrance driveway with the proposed name SE Baron Way. The building addresses in this plaza will be on SE Baron Way.

Electronic File Submittal

Findings of Compliance:

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2023).

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater

Findings of Compliance:

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater Protection

Findings of Compliance:

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

Fire Prevention

Finding of Compliance

The Fire Prevention Division finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews

Emergency Preparedness

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

Findings of Compliance:

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. [2020 Florida Building Code, Accessibility, 7th Edition]

R. Determination of compliance with Martin County Health Department and Martin County School Board

Martin County Health Department

The applicant has indicated that the proposed final site plan contains no onsite potable wells or septic disposal systems. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Code requirements within the Land Development Regulations or Comprehensive Growth Management Plan. MARTIN COUNTY, FLA., LDR SECTION 10.1.E. (2019)

Martin County School Board

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

S. Determination of compliance with legal requirements - County Attorney's Office

Review Ongoing

T. Determination of compliance with the adequate public facilities requirements - responsible departments

The following is a summary of the review for compliance with the standards contained in Section 5.32.D., LDR, Martin County, Fla. (2016), for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities service provider – Martin County Utilities

Findings – Pending Evaluation

Source - Martin County Utilities

Reference - see Section O of this staff report

Sanitary sewer facilities service provider – Martin County Utilities

Findings – Pending Evaluation

Source - Martin County Utilities

Reference - see Section O of this staff report

Solid waste facilities

Findings – In Place

Source - Growth Management Department

Stormwater management facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section N of this staff report

Community park facilities

Findings – In Place

Source - Growth Management Department

Roads facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section M of this staff report

Mass transit facilities

Findings – Positive Evaluation

Source - Engineering Services Department

Reference - see Section K of this staff report

Public safety facilities

Findings – In Place

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities

Findings – N/A

Source - Growth Management Department

Reference - see Section R of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of development.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant’s submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24” x 36” plans should be submitted rolled and in separate sets as itemized below.

Item	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
2.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.
3.	Recording Costs	The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.
4.	Warranty Deed	One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.

Item	Description	Requirement
5.	Unity of Title	Original and one (1) copy of the current Unity of Title in standard County format if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating so that no transfer has occurred.
6.	Approved Final Site Plan	One (1) copy 24" x 36" of the approved final site plan.
7.	Approved Landscape Plan	One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
8.	Approved Elevations	One (1) copy 24" x 36" of the approved elevations.
9.	Digital Copy of Site Plans	One (1) digital copy of the site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
10.	Engineer's Design Certification	Original of the Engineer's Design Certification, on the County format which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.
11.	Water & Wastewater Service Agreement	Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.
12.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

V. Local, State, and Federal Permits

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits, to Martin County prior to scheduling the pre-construction meeting.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$8,750.00	\$8,750.00	\$0.00
Inspection Fees:	\$4,160.00		\$4,160.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Impact fees***	TBD		

- * Advertising fees will be determined once the ads have been placed and billed to the County.
- ** Recording fees will be identified on the post approval checklist.
- *** Impact fees to be paid at time of building permit issuance.

X. General application information

Owner: Jeremiah Baron & Co. Commercial Real Estate, LLC- Baron Landings LLC
Brendan DeBlois
49 SW Flagler Avenue, Suite 301
Stuart, FL 34994

Agent: Giangrande Engineering and Planning, Leo Giangrande
2081 SE Ocean Boulevard, Suite 1A
Stuart, FL 34996

Engineer of Record: Giangrande Engineering and Planning, Leo Giangrande
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Y. Acronyms

ADA..... Americans with Disability Act
AHJ Authority Having Jurisdiction
ARDP Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan
CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP..... Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR..... Land Development Regulations
LPA..... Local Planning Agency
MCC..... Martin County Code
MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD..... South Florida Water Management District
W/WWSA.... Water/Waste Water Service Agreement

Z. Attachments